IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.417 OF 2002

Dinesh G.Gundya ..Petitioner

Vs.

University of Mumbai ..Respondents

Mr.Manish Mistry i/b M.P.Vashi and Associates for the petitioner

Mr.P.M.Palshikar, A.G.P. for the respondent no.2

CORAM : S.U.KAMDAR, J
DATED : 7TH MARCH, 2006

P.C.:

. The present petition has been filed by the petitioner who was admittedly a temporary employee with respondent no.1 University. His services were terminated and he was not absorbed in regular employment. He preferred an appeal before the University and College Tribunal being appeal no.74 of 2001. One of the ground is various other temporary employees were absorbed in employment though they joined in the respondent no.1 university subsequent to him as temporary employee. The Tribunal in the impugned Judgment dt.17.1.02

has dismissed the appeal interalia holding that the petitioner has no right whatsoever because he was never made permanent and was a purely on temporary basis. The Tribunal has also rejected the argument that the petitioner is entitled to priority in employment to other employees who are appointed after him. The view taken by the Tribunal is correct and legal. It is now well settled that a temporary employee cannot claim the post unless he is absorbed. Petitioner is a temporary employee and therefore, no relief can be granted in the present writ petition. Petition is accordingly dismissed.